

Applicant : J. Stuart Cumming
Appl. No. : 09/740,679
Examiner : Eduardo C. Robert
Docket No. : 13533.4033

Remarks

Reconsideration of this application and claims is requested, particularly independent claims 53, 90 and 105.

These claims have been amended to refer to a "single solid flexible refractive optic" and to omit the previous insertion of "to function as a single optic". The intent of the earlier amendment was to make it clear that the claims are directed to a single optic as distinguished from plural optics such as disclosed in Portnoy. Furthermore, it is clear from the embodiment of Figure 18 that a single optic is involved.

With regard to the Examiner's concern with the word "refractive", it is abundantly clear that the lens of this application clearly are refractive as distinguished from reflective or Fresnel. Figures 18 and 17 clearly show a solid lenses, and clearly must be refractive to work in the eye as the eye is shown in the other Figures. It could not work any other way. Also, as the Examiner points out, the present lens is to "correct a refractive error in the eye."

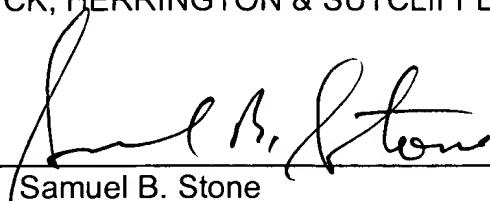
A refractive error is corrected with a refractive lens. The reference to "solid" is used to better define over an inflatable object such as in Kalb's '457. Clearly, Figure 18 shows a solid refractive optic, and the application discloses a flexible optic.

Accordingly, favorable reconsideration is requested. Once the matter of independent claims 53, 90 and 105 have been covered, applicant as indicated earlier will file a terminal disclaimer.

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The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 15-0665.

Respectfully submitted,
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